IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.394 OF 2006
IN
SUMMARY SUIT NO.3127 OF 1984

Bank of India .. Plaintiff.
Versus
M/s.R.N.Sales Corpn. & Ors. .. Defendants.

Ms.Mamta Sadh i/b.M.V.Deshpande & Co. for plaintiff.
Ms.Madhulika Shukla i/b.M/s.Gagrat & Co. for defendant No.5.

ALONGWITH

CHAMBER SUMMONS NO.396 OF 2006
IN
SUMMARY SUIT NO.3126 OF 1984

Bank of India .. Plaintiff.
Versus
M/s.R.N.Sales Corpn. & Ors. .. Defendants.

Ms.Mamta Sadh i/b.M.V.Deshpande & Co. for plaintiff.
Ms.Madhulika Shukla i/b.M/s.Gagrat & Co. for defendant No.5.

ALONGWITH

CHAMBER SUMMONS NO.397 OF 2006
IN
SUMMARY SUIT NO.3125 OF 1984

Bank of India .. Plaintiff.
Versus
Mr.Dhirajilal Kanniyala Chanawal & Ors. .. Defendants.

Ms.Mamta Sadh i/b.M.V.Deshpande & Co. for plaintiff.
Ms.Madhulika Shukla i/b.M/s.Gagrat & Co. for defendant No.3.

ALONGWITH

CHAMBER SUMMONS NO.398 OF 2006
IN
SUMMARY SUIT NO.3124 OF 1984

Bank of India .. Plaintiff.
Versus

M/s.R.N.Sales Corpn. & Ors. .. Defendants.

Ms.Mamta Sadh i/b.M.V.Deshpande & Co. for plaintiff.
Ms.Madhulika Shukla i/b.M/s.Gagrat & Co. for defendant No.5.

CORAM : S.J. VAZIFDAR, J.
DATE : 12TH JULY, 2007.

P.C.:

1. The plaintiff has filed these Chamber Summons seeking an order that xerox copies of the documents be accepted as secondary evidence under Section 65 of the Evidence Act.

2. Whether to accept any documents in evidence or not can be decided only by the learned Judge hearing the matter at the time of the trial. The procedure, therefore, is misconceived.

3. The plaintiff is always at liberty to tender secondary evidence at the trial. Whether the documents ought to be received in evidence is a matter for the learned Judge to decide.

4. The plaintiff, however for the sake of convenience and expediting the matter is at liberty to apply for and receive certified true copies of the said documents lying with the Sessions Court.

. Chamber Summons are accordingly disposed of.